



ORIGINAL

Public Service Commission

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**DATE:** August 16, 2006  
**TO:** Blanca S. Bayó, Commission Clerk and Administrative Services Director  
**FROM:** Richard P. Redemann, Professional Engineer III, Division of Economic Regulation  
**RE:** Docket No. 060256-SU; Alafaya Utilities, Inc. Application for Rate Increase in Seminole County, Florida.

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Please add to the docket file the attached Permit Revision dated September 19, 2005 from the Florida Department of Environmental Protection.

Attachment

cc: Division of Economic Regulation (Fletcher, Rendell)  
Office of General Counsel (Jaeger)

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# Department of Environmental Protection

Jeb Bush  
Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Colleen Castille  
Secretary

Sent via e-mail: [p.c.flynn@utilitiesinc-usa.com](mailto:p.c.flynn@utilitiesinc-usa.com)

ALAFAYA UTILITIES INC  
200 WEATHERSFIELD AVENUE  
ALTAMONTE SPRINGS, FL 32714

ATTENTION MR. PATRICK C FLYNN  
REGIONAL DIRECTOR

Seminole County - DW  
Alafaya Utilities WWTF  
Permit Revision

Dear Mr. Flynn:

The Department is in receipt of your request to revise the conditions of the permit referenced above. The permit is hereby revised as follows:

The permitted treatment capacity of the facility is increased from 1.2 MGD to 1.535 MGD Annual Average Daily Flow (AADF) and the permitted public access reclaimed water is increased from 0.535 MGD to 0.75 mgd AADF. Attached are the revised pages 2 and 3 of Discharge Monitoring Report, which indicates the increase in total treatment capacity and reclaimed water.

The permittee shall continue to monitor and report monthly on the additions to the public access reuse system, as required by the current permit.

This letter must be attached to Wastewater Permit No. FLA011074 and becomes a part of and subject to all conditions of that permit.

The Department's proposed agency action shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57 of the Florida Statutes before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department permit identification number and the county in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under section 120.573 of the Florida Statutes is not available for this proceeding.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

Any party to the order has the right to seek judicial review of the order under section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

Executed in Orlando, Florida.

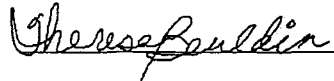
STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

(signed by Chris on date shown)  
Christianne C. Ferraro, P.E.  
Program Administrator  
Water Facilities

Date: September 19, 2005

FILING AND ACKNOWLEDGMENT

FILED, on this date, under Section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

August 14, 2006

Date

CCF/trw/ply

cc: Scotty L. Haws (via email: s.l.haws@utilitiesinc-usa.com )

CERTIFICATE OF SERVICE

This is to certify that this PERMIT REVISION and all copies were mailed before the close of business on September 19, 2005 to the listed persons by Theresa D. Young.